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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Sacramento)

THE PEOPLE,

Plaintiff and Respondent,

v.

MICHELLE EVANS,

Defendant and Appellant.

C060961

(Super. Ct. No. 06F00671)

This is an appeal pursuant to *People v. Wende* (1979) 25 Cal.3d 436.¹ Having reviewed the record as required by *Wende*, we affirm the judgment.

We provide the following brief description of the facts and procedural history of the case. (See *People v. Kelly* (2006) 40 Cal.4th 106, 110, 124.)

¹ Counsel filed an opening brief that sets forth the facts of the case and asks this court to review the record and determine whether there are any arguable issues on appeal. (*People v. Wende, supra*, 25 Cal.3d at p. 436.) Defendant was advised by counsel of the right to file a supplemental brief within 30 days of the date of filing of the opening brief. More than 30 days elapsed, and we received no communication from defendant.

On January 6, 2006, defendant Michelle Evans shot her boyfriend in the head while he was vandalizing her car. Defendant claimed he was regularly abusive to her. The boyfriend suffered permanent injuries including memory loss and seizures.

Defendant was charged with attempted murder, with enhancements for personal use of a firearm causing great bodily injury and committing great bodily injury under circumstances involving domestic violence. She was also charged with assault with a firearm, with the same enhancements, and with possession of a firearm by a convicted felon. It was also alleged that defendant had served two prior prison terms.

On the fourth day of her jury trial, defendant withdrew her not guilty pleas and entered a plea of guilty to assault with a firearm and admitted the accompanying enhancements. She also admitted she had served a prior prison term. She entered her plea with the understanding that she would receive not more than 14 years, and no less than 13 years, in state prison and the remainder of the information would be dismissed.

The trial court sentenced defendant to an aggregate term of 14 years in state prison, consisting of the upper term of four years for the assault, five years for inflicting great bodily injury, four years for personally using a firearm, and one year for having served a prior prison term. The court also imposed a \$2,000 restitution fine, imposed and stayed a \$2,000 parole revocation fine, and ordered victim restitution in an amount to

be determined. Defendant was awarded 1,201 days of custody credit.

Having undertaken an examination of the entire record, we find no arguable error that would result in a disposition more favorable to defendant.

DISPOSITION

The judgment is affirmed.

_____, ROBIE, J.

We concur:

_____, HULL, Acting P. J.

_____, BUTZ, J.